

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

W. A. DREW EDMONDSON, in his)
capacity as ATTORNEY GENERAL)
OF THE STATE OF OKLAHOMA and)
OKLAHOMA SECRETARY OF THE)
ENVIRONMENT C. MILES TOLBERT,)
in his capacity as the)
TRUSTEE FOR NATURAL RESOURCES)
FOR THE STATE OF OKLAHOMA,)
Plaintiff,)
vs.) 4:05-CV-00329-TCK-SAJ
TYSON FOODS, INC., et al,)
Defendants.)

VOLUME I OF THE VIDEOTAPED
DEPOSITION OF INDRAJEET CHAUBEY, PhD, produced
as a witness on behalf of the Plaintiff in the above
styled and numbered cause, taken on the 27th day of
January, 2009, in the City of Tulsa, County of
Tulsa, State of Oklahoma, before me, Lisa A.
Steinmeyer, a Certified Shorthand Reporter, duly
certified under and by virtue of the laws of the
State of Oklahoma.

Exhibit 65

TULSA FREELANCE REPORTERS
918-587-2878

1 A About 35 percent is forest. So that's about
2 90 percent, and rest are in other categories.

3 Q All right. Do you know what the approximate
4 percentage of the urban area is in the Illinois
5 River watershed?

09:28AM

6 A So it has to be less than 10 I would think.
7 More like 6 or 7 percent; no more than that.

8 Q Based on your knowledge and skill and
9 education, training and experience, including
10 reading published literature, do you have an opinion
11 what is the primary method used for poultry waste
12 disposal?

09:28AM

13 MS. LONGWELL: Object to form.

14 A Yes.

15 Q What is that opinion?

09:28AM

16 A Land application, surface application of
17 poultry litter.

18 Q All right. From your review of published
19 literature, do you have any knowledge of
20 approximately how long land application of poultry
21 waste has occurred in the IRW?

09:29AM

22 MS. LONGWELL: Object to form.

23 A Can you ask that question again?

24 Q I will. From your review of literature or
25 other sources, do you have knowledge of

09:29AM

1 approximately how long poultry waste has been
2 generally land applied in the IRW?

3 MS. LONGWELL: I'm just going to state a
4 continuing objection to the term waste. I think
5 that's traditional, but that way I'm not going to
6 continue to object just because you use that word.

09:29AM

7 MR. GARREN: All right.

8 A Yes.

9 Q Approximately how long have you learned that
10 would be?

09:29AM

11 A For a long time. I mean, since poultry
12 industry has been concentrated in northwest
13 Arkansas.

14 Q All right. When I use the term waste, let me
15 maybe define that so that you and I have an
16 understanding, too. I define waste as the
17 excrement, the bedding material and things such as
18 feathers or wasted feed and moisture that occurs
19 that's taken out of the house at the conclusion of
20 the growing session, sometimes commonly referred to
21 as poultry litter in Arkansas. Do you know the term
22 poultry litter?

09:29AM

09:30AM

23 A Yes.

24 Q And can you tell me what you understand the
25 term poultry litter would mean?

09:30AM